

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 340
OFFERED BY MR. MAST OF FLORIDA

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “ *Hamas and Other Pal-*
3 *estinian Terrorist Groups International Financing Preven-*
4 *tion Act*”.

5 SEC. 2. STATEMENT OF POLICY.

6 It shall be the policy of the United States—

7 (1) to prevent Hamas, Palestinian Islamic
8 Jihad, Al-Assad Martyr’s Brigade, the Lion’s Den,
9 or any affiliate or successor thereof from accessing
10 its international support networks; and

11 (2) to oppose Hamas, the Palestinian Islamic
12 Jihad, Al-Assad Martyr’s Brigade, the Lion’s Den,
13 or any affiliate or successor thereof from using
14 goods, including medicine and dual use items, to
15 smuggle weapons and other materials to further acts
16 of terrorism, including against Israel.

1 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
2 **EIGN PERSONS SUPPORTING ACTS OF TER-**
3 **RORISM OR ENGAGING IN SIGNIFICANT**
4 **TRANSACTIONS WITH SENIOR MEMBERS OF**
5 **HAMAS, PALESTINIAN ISLAMIC JIHAD AND**
6 **OTHER PALESTINIAN TERRORIST ORGANIZA-**
7 **TIONS.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the President shall impose
10 the sanctions described in subsection (c) with respect to
11 each foreign person that the President determines, on or
12 after the date of the enactment of this Act, engages in
13 an activity described in subsection (b).

14 (b) ACTIVITIES DESCRIBED.—A foreign person en-
15 gages in an activity described in this subsection if the for-
16 eign person knowingly—

17 (1) assists in sponsoring or providing signifi-
18 cant financial, material, or technological support for,
19 or goods or other services to enable, acts of ter-
20 rorism; or

21 (2) engages, directly or indirectly, in a signifi-
22 cant transaction with—

23 (A) a senior member of Hamas, Pales-
24 tinian Islamic Jihad, Al-Assad Martyr's Bri-
25 gade, the Lion's Den, or any affiliate or suc-
26 cessor thereof; or

1 (B) a senior member of a foreign terrorist
2 organization designated pursuant to section 219
3 of the Immigration and Nationality Act (8
4 U.S.C. 1189) that is responsible for providing,
5 directly or indirectly, support to Hamas, Pales-
6 tinian Islamic Jihad, Al-Assad Martyr's Bri-
7 gade, the Lion's Den, or any affiliate or suc-
8 cessor thereof.

9 (c) SANCTIONS DESCRIBED.—The President shall ex-
10 ercise all of the powers granted to the President under
11 the International Emergency Economic Powers Act (50
12 U.S.C. 1701 et seq.) to the extent necessary to block and
13 prohibit all transactions in property and interests in prop-
14 erty of a foreign person described in subsection (a) if such
15 property and interests in property are in the United
16 States, come within the United States, or are or come
17 within the possession or control of a United States person.

18 (d) PENALTIES.—The penalties provided for in sub-
19 sections (b) and (c) of section 206 of the International
20 Emergency Economic Powers Act (50 U.S.C. 1705) shall
21 apply to a person that violates, attempts to violate, con-
22 spires to violate, or causes a violation of this section or
23 any regulations promulgated to carry out this section to
24 the same extent that such penalties apply to a person that

1 commits an unlawful act described in section 206(a) of
2 that Act.

3 (e) IMPLEMENTATION; REGULATIONS.—

4 (1) IN GENERAL.—The President may exercise
5 all authorities provided under sections 203 and 205
6 of the International Emergency Economic Powers
7 Act (50 U.S.C. 1702 and 1704) for purposes of car-
8 rying out this section.

9 (2) REGULATIONS.—Not later than 60 days
10 after the date of the enactment of this Act, the
11 President shall issue regulations or other guidance
12 as may be necessary for the implementation of this
13 section.

14 (f) WAIVER.—The President may waive, on a case-
15 by-case basis and for a period of not more than 180 days,
16 the application of sanctions under this section with respect
17 to a foreign person only if, not later than 15 days prior
18 to the date on which the waiver is to take effect, the Presi-
19 dent submits to the appropriate congressional committees
20 a written determination and justification that the waiver
21 is in the vital national security interests of the United
22 States.

23 (g) HUMANITARIAN EXEMPTION.—The President
24 may waive the application of any provision of this section
25 if the President certifies in writing to the appropriate con-

gressional committees that such a waiver is vital to facilitate the delivery of humanitarian aid and is consistent with the national security interests of the United States 15 days prior to the waiver taking effect.

(h) RULE OF CONSTRUCTION.—The authority to impose sanctions under this section with respect to a foreign person is in addition to the authority to impose sanctions under any other provision of law with respect to a foreign person that directly or indirectly supports acts of international terrorism.

SEC. 4. IMPOSITION OF MEASURES WITH RESPECT TO FOREIGN STATES PROVIDING SUPPORT TO HAMAS, PALESTINIAN ISLAMIC JIHAD AND OTHER PALESTINIAN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President may impose the measures described in subsection (c) with respect to a foreign state if the President determines that the foreign state, on or after the date of the enactment of this Act, engages in an activity described in subsection (b).

(b) ACTIVITIES DESCRIBED.—A foreign state engages in an activity described in this subsection if the foreign state knowingly—

1 (1) provides significant material or financial
2 support for acts of international terrorism, pursuant
3 to—

4 (A) section 1754(c) of the Export Control
5 Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

6 (B) section 620A of the Foreign Assistance
7 Act of 1961 (22 U.S.C. 2371);

8 (C) section 40 of the Arms Export Control
9 Act (22 U.S.C. 2780); or

10 (D) any other provision of law;

11 (2) provides significant material support to
12 Hamas, the Palestinian Islamic Jihad, Al-Assad
13 Martyr's Brigade, the Lion's Den, or any affiliate or
14 successor thereof; or

15 (3) engages in a significant transaction that
16 materially contributes, directly or indirectly, to the
17 terrorist activities of Hamas, the Palestinian Islamic
18 Jihad, Al-Assad Martyr's Brigade, the Lion's Den,
19 or any affiliate or successor thereof.

20 (c) MEASURES DESCRIBED.—The measures de-
21 scribed in this subsection with respect to a foreign state
22 are the following:

23 (1) The President may suspend, for a period of
24 at least 1 year, United States assistance to the for-
25 eign state.

1 (2) The Secretary of the Treasury shall instruct
2 the United States Executive Director to each appro-
3 priate international financial institution to oppose,
4 and vote against, for a period of 1 year, the exten-
5 sion by such institution of any loan or financial or
6 technical assistance to the government of the foreign
7 state.

8 (3) The President may prohibit the export of
9 any item on the United States Munitions List (es-
10 tablished pursuant to section 38 of the Arms Export
11 Control Act (22 U.S.C. 2778)) or the Commerce
12 Control List set forth in Supplement No. 1 to part
13 774 of title 15, Code of Federal Regulations, to the
14 foreign state for a period of 1 year.

15 (d) PENALTIES.—The penalties provided for in sub-
16 sections (b) and (c) of section 206 of the International
17 Emergency Economic Powers Act (50 U.S.C. 1705) shall
18 apply to a person that violates, attempts to violate, con-
19 spires to violate, or causes a violation of this section or
20 any regulations promulgated to carry out this section to
21 the same extent that such penalties apply to a person that
22 commits an unlawful act described in section 206(a) of
23 that Act.

24 (e) WAIVER.—The President may waive, on a case-
25 by-case basis and for a period of not more than 180 days,

1 the application of measures under this section with respect
2 to a foreign state only if, not later than 15 days prior
3 to the date on which the waiver is to take effect, the Presi-
4 dent submits to the appropriate congressional committees
5 a written determination and justification that the waiver
6 is in the vital national security interests of the United
7 States.

8 (f) IMPLEMENTATION; REGULATIONS.—

9 (1) IN GENERAL.—The President may exercise
10 all authorities provided under sections 203 and 205
11 of the International Emergency Economic Powers
12 Act (50 U.S.C. 1702 and 1704) for purposes of car-
13 rying out this section.

14 (2) REGULATIONS.—Not later than 60 days
15 after the date of the enactment of this Act, the
16 President shall issue regulations or other guidance
17 as may be necessary for the implementation of this
18 section.

19 (g) ADDITIONAL EXEMPTIONS.—

20 (1) STATUS OF FORCES AGREEMENTS.—The
21 President may exempt the application of measures
22 under this section with respect to a foreign state if
23 the application of such measures would prevent the
24 United States from meeting the terms of any status

1 of forces agreement to which the United States is a
2 party.

3 (2) AUTHORIZED INTELLIGENCE ACTIVITIES.—
4 Measures under this section shall not apply with re-
5 spect to any activity subject to the reporting require-
6 ments under title V of the National Security Act of
7 1947 (50 U.S.C. 3091 et seq.) or any authorized in-
8 telligence activities of the United States.

9 (3) HUMANITARIAN EXEMPTION.—The Presi-
10 dent may waive the application of any provision of
11 this section if the President certifies in writing to
12 the appropriate congressional committees that such
13 a waiver is vital to facilitate the delivery of humani-
14 tarian aid and is consistent with the national secu-
15 rity interests of the United States 15 days prior to
16 the waiver taking effect.

17 (h) RULE OF CONSTRUCTION.—The authority to im-
18 pose measures under this section with respect to a foreign
19 state is in addition to the authority to impose measures
20 under any other provision of law with respect to foreign
21 states that directly or indirectly support acts of inter-
22 national terrorism.

1 **SEC. 5. REPORT ON ACTIVITIES TO DISRUPT GLOBAL**
2 **FUNDRAISING, FINANCING, AND MONEY**
3 **LAUNDERING ACTIVITIES OF HAMAS, PALES-**
4 **TINIAN ISLAMIC JIHAD, AL-ASSAD MARTYR'S**
5 **BRIGADE, THE LION'S DEN OR ANY AFFIL-**
6 **IATE OR SUCCESSOR THEREOF.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of enactment of this Act, the President shall submit
9 to the appropriate congressional committees a report that
10 includes—

11 (1) an assessment of the disposition of the as-
12 sets and activities of Hamas, the Palestinian Islamic
13 Jihad, Al-Assad Martyr's Brigade, the Lion's Den,
14 or any affiliate or successor thereof related to fund-
15 raising, financing, and money laundering worldwide;

16 (2) a list of foreign states that knowingly pro-
17 viding material, financial, or technical support for,
18 or goods or services to Hamas, the Palestinian Is-
19 lamic Jihad, Al-Assad Martyr's Brigade, the Lion's
20 Den, or any affiliate or successor thereof;

21 (3) a list of foreign states in which Hamas, the
22 Palestinian Islamic Jihad, Al-Assad Martyr's Bri-
23 gade, the Lion's Den, or any affiliate or successor
24 thereof conducts significant fundraising, financing,
25 or money laundering activities;

1 (4) a list of foreign states from which Hamas,
2 the Palestinian Islamic Jihad, Al-Assad Martyr's
3 Brigade, the Lion's Den, or any affiliate or suc-
4 cessor thereof knowingly engaged in the transfer of
5 surveillance equipment, electronic monitoring equip-
6 ment, or other means to inhibit communication or
7 the free flow of information in Gaza; and

8 (5) with respect to each foreign state listed in
9 paragraph (2), (3), or (4)—

10 (A) a description of the steps the foreign
11 state identified is taking adequate measures to
12 restrict financial flows to Hamas, the Pales-
13 tinian Islamic Jihad, Al-Assad Martyr's Bri-
14 gade, the Lion's Den, or any affiliates or suc-
15 cessors thereof; and

16 (B) in the case of a foreign state failing to
17 take adequate measures to restrict financial
18 flows to Hamas, Palestinian Islamic Jihad, Al-
19 Assad Martyr's Brigade, the Lion's Den or any
20 other designated entity engaged in significant
21 act of terrorism threatening the peace and secu-
22 rity of Israel—

23 (i) an assessment of the reasons that
24 government is not taking adequate meas-

1 ures to restrict financial flows to those en-
2 tities; and

3 (ii) a description of measures being
4 taken by the United States Government to
5 encourage the foreign state to restrict fi-
6 nancial flows to those entities; and

7 (b) FORM.—The report required by subsection (a)
8 shall be submitted in unclassified form to the greatest ex-
9 tent possible, and may contain a classified annex.

10 **SEC. 6. TERMINATION.**

11 This Act shall terminate on the date that is 30 days
12 after the date on which the President certifies to the ap-
13 propriate congressional committees that—

14 (1) Hamas or any successor or affiliate thereof
15 is no longer designated as a foreign terrorist organi-
16 zation pursuant to section 219 of the Immigration
17 and Nationality Act (8 U.S.C. 1189);

18 (2) Hamas, the Palestinian Islamic Jihad, Al-
19 Assad Martyr's Brigade, the Lion's Den, and any
20 successor or affiliate thereof are no longer subject to
21 sanctions pursuant to—

22 (A) Executive Order No. 12947 (January
23 23, 1995; relating to prohibiting transactions
24 with terrorists who threaten to disrupt the Mid-
25 dle East peace process); and

1 (B) Executive Order No. 13224 (Sep-
2 tember 23, 2001; relating to blocking property
3 and prohibiting transactions with persons who
4 commit, threaten to commit, or support ter-
5 rorism); and

6 (3) Hamas, the Palestinian Islamic Jihad, Al-
7 Assad Martyr's Brigade, the Lion's Den, and any
8 successor or affiliate thereof meet the criteria de-
9 scribed in paragraphs (1) through (4) of section 9
10 of the Palestinian Anti-Terrorism Act of 2006 (22
11 U.S.C. 2378b note).

12 **SEC. 7. DEFINITIONS.**

13 In this Act:

14 (1) ACT OF TERRORISM.—The term “act of ter-
15 rorism” means an activity that—

16 (A) involves a violent act or an act dan-
17 gerous to human life, property, or infrastruc-
18 ture; and

19 (B) appears to be intended to—

20 (i) intimidate or coerce a civilian pop-
21 ulation;

22 (ii) influence the policy of a govern-
23 ment by intimidation or coercion; or

1 (iii) affect the conduct of a govern-
2 ment by mass destruction, assassination,
3 kidnapping, or hostage-taking.

4 (2) ADMITTED.—The term “admitted” has the
5 meaning given such term in section 101(a)(13)(A) of
6 the Immigration and Nationality Act (8 U.S.C.
7 1101(a)(13)(A)).

8 (3) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means the Committee on Foreign Affairs of
11 the House of Representatives and the Committee on
12 Foreign Relations of the Senate.

13 (4) FOREIGN STATE.—The term “foreign state”
14 has the meaning given such term in section 1603 of
15 title 28, United States Code.

16 (5) HUMANITARIAN AID.—The term “humani-
17 tarian aid” means food, medicine, and medical sup-
18 plies.

19 (6) MATERIAL SUPPORT.—The term “material
20 support” has the meaning given the term “material
21 support or resources” in section 2339A of title 18,
22 United States Code.

23 (7) UNITED STATES PERSON.—The term
24 “United States person” means—

1 (A) a United States citizen or an alien law-
2 fully admitted for permanent residence to the
3 United States; or

4 (B) an entity organized under the laws of
5 the United States or of any jurisdiction within
6 the United States, including a foreign branch of
7 such an entity.

